

REMARKS**Response to Claim Rejections Under 35 U.S.C. §112**

Claim 1, 3, 4, 7-10, 12-16, 18, 19, 28, 30, and 33 are rejected by the Examiner under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In response applicants have amended claims 1, 18 and 28 to call for first and second layers formed of first and second materials which should overcome the rejections based upon 35 U.S.C. §112(2).

Response to Claim Rejections Under 35 U.S.C. §103

Claims 1, 3, 4, 7, 8, 12-16, and 27 are rejected by the Examiner under 35 U.S.C. §103(a) as being unpatentable over Aita et al (U.S. Pat. No. 5,472,795). The cited reference, however, does not disclose the use of a crystalline structure for the hard ceramic layer. Aita (U.S. Pat. No. 5,472,795) teaches away from the use of a crystalline structure and states that the hard ceramic layer is preferably amorphous in structure (column 5, line 11). The use of nanocrystalline aluminium nitride as a hard ceramic top layer would therefore not be obvious due to its crystalline structure. The reference does not address this feature. Moreover, the reference does not suggest a nanocrystalline coating which forms a water swellable material in an oxygen containing medium

Claims 18, 19, 28, 30, 31, and 33 are rejected by the Examiner under 35 U.S.C. §103(a) as being unpatentable over Aita et al (U.S. Pat. No. 5,472,795) in view of Davidson (U.S. Pat. No. 5,782,910). As discussed above, Aita does not suggest the features of applicants' claimed invention and the secondary reference (Davidson) fails to make up for any of the deficiencies.


Allowable Subject Matter

Applicant note with appreciation the Examiner's indication that Claims 9 and 10 are directed to patentable subject matter.

Conclusions

In view of the above amendments to claims 1 and 28 applicant believes that the pending claims are in condition for allowance. Reconsideration and an early allowance are respectfully requested.

Respectfully submitted,

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